

EXHIBIT 34

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May 2, 2014

VIA E-MAIL

Anne Coyle, Esq.
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166

Re: Nike Inc. and Converse Inc. v. Wu, et al.
No. 2013 Civ. 8012

Dear Ms. Coyle:

We write on behalf of non-party banks, Agricultural Bank of China, Bank of Communications, China Construction Bank, China Merchants Bank, and Industrial and Commercial Bank of China (the "Banks"), in response to your letter dated April 22, 2014, with respect to discovery in the above-referenced matter. As an initial matter, we are pleased to see that you share our view that in light of the pending appeals in the Gucci and Tiffany, in which the very significant jurisdictional and substantive issues relating to discovery from non-party Chinese banks in trademark cases like this one have been raised, motion practice on those issues in this case should be avoided. For the reasons more fully set forth in our earlier letters, and in submissions to the Second Circuit in those appeals, the court lacks jurisdiction to compel discovery from the Banks as to information relating to accounts in China or to restrain such accounts, and the Banks expressly reserve that position.

In your letter you state that the Plaintiffs in this case "intend to seek discovery via the Hague convention" and make a proposal that contains a number of unreasonable and unnecessary provisions. The Banks are unwilling to agree to that proposal.

We note that your firm has recent experience in obtaining information about accounts of defendants in trademark cases (the two Tiffany matters) located at branches of Chinese banks in China through use of the Hague Convention, and therefore is fully familiar with the procedures applicable to such requests. And, of course, there is nothing that prevents the Plaintiffs from requesting the court to issue a Hague Convention request to the Chinese Central Authority. Based on the information you have provided to date, the Banks take no position on the Plaintiffs' proposed use of the Hague Convention and do not presently intend to seek to interpose objections to the issuance of a Hague Convention request.

Anne Coyle, Esq.

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We are, of course, available to discuss this subject with you at a mutually convenient time and place.

Very truly yours,



Dwight A. Healy

DAH:kk